



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OFFICE OF CHEMICAL SAFETY  
AND POLLUTION PREVENTION

**MEMORANDUM**

**SUBJECT:** Recusal Statement

**FROM:** Lynn Dekleva  
Environmental Engineer

*Lynn Dekleva* 16-April-2019

**TO:** Alexandra Dapolito Dunn  
Assistant Administrator

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligations to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13770 and the Trump Ethics Pledge that I signed.

***FINANCIAL CONFLICTS OF INTEREST***

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I have consulted with OGC/Ethics and been advised that I do not currently have any significant financial conflicts of interest but will remain vigilant and notify OGC/Ethics immediately should my financial situation change.

***OBLIGATIONS UNDER EXECUTIVE ORDER 13770***

Pursuant to Section 1, Paragraph 6 of the Executive Order, I understand that I am

prohibited from participating in any particular matter involving specific parties in which my former employer, **DowDupont Inc.**, is a party or represents a party. I understand that my recusal lasts for two years from the date that I joined federal service.

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means five or more parties who represent a diversity of interests rather than one shared perspective.<sup>1</sup>

#### *SCREENING ARRANGEMENT*

In order to ensure that I do not participate in matters relating to my former employer, I will instruct Charlotte Bertrand, Deputy Assistant Administrator to assist in screening EPA matters directed to my attention that involve DowDuPont Inc. All inquiries and comments involving my former employer should be directed to Charlotte Bertrand without my knowledge or involvement until after my recusal period ends.

If Charlotte Bertrand determines that a particular matter will directly involve my former employer, then he will refer it for action or assignment to another, without my knowledge or involvement. In the event that he is unsure whether an issue is a particular matter from which I am recused, then he will consult with OGC/Ethics for a determination. I will provide a copy of this memorandum to Justina Fugh, Senior Counsel for Ethics.

#### *UPDATE AS NECESSARY*

In consultation with OGC/Ethics, I will revise and update my recusal statement whenever warranted by changed circumstances, including changes in my financial interests, changes in my personal or business relationships, or any changes to my EPA duties. In the event of any changes to my screening arrangement, I will provide a copy of the revised recusal statement to you and OGC/Ethics.

cc: Nancy Beck, Principal Deputy Assistant Administrator  
Charlotte Bertrand, Deputy Assistant Administrator  
Erik Baptist, Deputy Assistant Administrator  
Justina Fugh, Senior Counsel for Ethics

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<sup>1</sup> I understand that such meetings “do not have to be open to every corner, but should include a multiplicity of parties. For example, if an agency is holding a meeting with five or more stakeholders regarding a given policy or piece of legislation, then I could attend such a meeting even if one of the stakeholders is a former employer or former client.” See Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13770 pursuant to OGE Legal Advisory LA-17-03 (3/20/17).